

Max Moskowitz
Ariel Peikes
OSTROLENK FABER LLP
845 Third Avenue
New York, New York 10022
mmoskowitz@ostrolenk.com
apeikes@ostrolekn.com
Telephone: (212) 382-0700
Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

LIFE STYLE FUTON, INC., and EASY FIT, INC.,

Plaintiffs,

v.

EASYFIT SLIPCOVER, LTD., ILYASS ET TAHIRI,
TUCOWS, INC., TUCOWS.COM CO., and
CABREXA, LLC, and the domain names:
www.easyfitcover.com, www.easyfitslipcover.com,
and www.easyfitslipcover.co, *in Rem*.

Defendants.

Index No.: 1:21-cv-01482-GHW

**DECLARATION OF ARIEL
PEIKES**

I, Ariel S. Peikes, hereby declare as follows

1. I am an attorney with the law firm of Ostrolenk Faber LLP (“Ostrolenk”), located at 845 Third Avenue, 8th Floor, New York, New York, 10022 and represent Plaintiffs Life Style Futon, Inc., and Easy Fit, Inc., in the above-referenced action. I submit this declaration in connection with Plaintiffs’ application for an order to show cause why a preliminary injunction should not issue against the Defendants.

2. Ostrolenk has communicated via email with Defendants EasyFit Slipcover LTD. and Et Tahiri starting on January 7, 2021, when it sent a cease and desist letter to the corporate

entity. Et Tahiri responded via email to Ostrolenk on January 14, 2021, including promising to comply with demands in the cease and desist letter.

3. Also beginning on January 7, 2021, Ostrolenk communicated via email with the Tucows defendants via the email portal domainabuse@tucows.com. On January 14, 2021, Ostrolenk received a responsive email from Tucows to the Plaintiffs' cease and desist letter to Tucows.

4. On February 19, 2021, Ostrolenk emailed to the Defendants copies of Plaintiffs' court filings in this action and stated:

We represent Easy Fit Inc. and the other plaintiff in the attached law suit that was just filed against yourself, your companies and related defendants.

Please retain an attorney for us to communicate with in relation to the filed lawsuit.

5. On same date, Ostrolenk received responsive emails from the email addresses for Defendant EasyFit Slipcover LTD., confirming receipt of Ostrolenk's email communication.


6. Also on same date, Ostrolenk received a near-identical response from Defendant Cabrexia, confirming that Ostrolenk's emailed was received by Cabrexia.

7. Ostrolenk received responsive emails from Tucows on February 19 and February 22, 2021. The first acknowledged that the "Court Document Submission Form" message "has Been Sent Successfully" to Tucows. Then, on February 22, 2021, "Tara Y." from "Tucows Inc. – Compliance" responded that "the court order made it into my inbox. I will review the documents and respond shortly."

8. To date, Ostrolenk has not received further communications from the Defendants with any substantive responsive to court-filed documents.

I declare under the penalty of perjury under the laws of the United States of America that to the best of my knowledge the foregoing is true and correct.

Executed on this 23rd day of February 2021, in New York, New York.

By: 
Ariel S. Peikes